

IC 5-22-19

Chapter 19. Determinations

IC 5-22-19-1

Determinations final and conclusive; judicial review

Sec. 1. The determinations required by this article are final and conclusive, and subject to judicial review under section 2 of this chapter.

As added by P.L.49-1997, SEC.1.

IC 5-22-19-2

Petition for judicial review; filing; relief

Sec. 2. (a) A person aggrieved by a determination under this article may file a petition for judicial review of that determination in a court of appropriate jurisdiction.

(b) The court shall grant relief only if it determines that a person seeking judicial relief has been substantially prejudiced by a determination that is any of the following:

- (1) Arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.
- (2) Contrary to constitutional right, power, privilege, or immunity.
- (3) In excess of statutory jurisdiction, authority, or limitations, or short of statutory right.
- (4) Without observance of procedure required by law.
- (5) Unsupported by substantial evidence.

As added by P.L.49-1997, SEC.1.

IC 5-22-19-3

Burden of demonstrating invalidity

Sec. 3. The burden of demonstrating the invalidity of the determination is on the person asserting the invalidity.

As added by P.L.49-1997, SEC.1.

IC 5-22-19-4

Setting aside determination; remanding case

Sec. 4. (a) If the court finds that a person has been substantially prejudiced by a determination, the court may set aside the determination. The court may remand the case to the governmental body for further proceedings and compel an action by the governmental body that has been unreasonably delayed or unlawfully withheld.

(b) A court may not award damages in an action under this chapter.

As added by P.L.49-1997, SEC.1.

IC 5-22-19-5

Standing

Sec. 5. An Indiana taxpayer has standing to:

- (1) challenge a determination made under IC 5-22-15-25(d); and

(2) enforce a contract provision required by IC 5-22-17-14 if the contract is related to steel products (as defined in IC 5-22-15-25(a)) or supplies manufactured by steel products.
As added by P.L.194-2001, SEC.4.